

U. S. DEPARTMENT OF LABOR

Employees' Compensation Appeals Board

In the Matter of LEWIS ANDERSON and U.S. POSTAL SERVICE,
POST OFFICE, Richmond, Va.

*Docket No. 97-2239; Submitted on the Record;
Issued May 11, 1999*

DECISION and ORDER

Before DAVID S. GERSON, BRADLEY T. KNOTT,
A. PETER KANJORSKI

The issue is whether appellant met his burden of proof in establishing that he sustained an injury causally related to factors of employment.

The Board has duly reviewed the case record and finds that appellant failed to meet his burden of proof.

The facts in this case indicate that on October 30, 1996 appellant, then a 55-year-old mailhandler, filed an occupational disease claim, alleging that factors of employment caused angina and coronary artery disease. By letter dated January 8, 1997, the Office of Workers' Compensation Programs informed appellant of the type of information needed to support his claim. By decision dated March 10, 1996, the Office denied appellant's claim on the grounds that the medical evidence was insufficient to establish that his condition was causally related to factors of employment. Appellant timely requested reconsideration and submitted additional evidence. By decision dated April 23, 1997, the Office denied modification of the prior decision. The instant appeal follows.

To establish that an injury was sustained in the performance of duty in an occupational disease claim, a claimant must submit the following: (1) medical evidence establishing the presence or existence of the disease or condition for which compensation is claimed; (2) a factual statement identifying the factors alleged to have caused or contributed to the presence or occurrence of the disease or condition; and (3) medical evidence establishing that the factors identified by the claimant were the proximate cause of the condition for which compensation is claimed or, stated differently, medical evidence establishing that the diagnosed condition is causally related to the factors identified by the claimant. The evidence required to establish causal relationship is rationalized medical opinion evidence, based upon a complete and accurate factual and medical background, showing a causal relationship between the claimed conditions

and the identified factors. The belief of appellant that the condition was caused or aggravated by the identified factors is not sufficient to establish causal relation.¹

In the present case, there is no dispute that appellant was a federal employee and that he timely filed a claim for compensation benefits. However, the medical evidence is insufficient to establish that he sustained an employment-related injury because it does not contain a rationalized medical opinion explaining how his cardiac disease was caused or aggravated by employment factors. While appellant submitted copies of hospital records and reports from his treating Board-certified cardiologist, Dr. Charles Zacharias, which included diagnoses of unstable coronary artery disease and hypertension, none of these reports contain an opinion regarding the cause of appellant's heart condition. Appellant, therefore, did not provide a rationalized medical opinion describing how employment factors caused his coronary condition and, thus, did not meet his burden of proof.

The decisions of the Office of Workers' Compensation Programs dated April 23 and March 10, 1997 are hereby affirmed.

Dated, Washington, D.C.
May 11, 1999

David S. Gerson
Member

Bradley T. Knott
Alternate Member

A. Peter Kanjorski
Alternate Member

¹ *Lourdes Harris*, 45 ECAB 545 (1994).